

RESUME OF ERIC N. KNIFFIN

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719-212-4391

eric@kniffin.law

*Scholar; Experienced Trial and Appellate Litigator; Counsel to Religious Institutions***EXPERIENCE****ETHICS AND PUBLIC POLICY CENTER, FELLOW** (2023 - present)

- Writing and speaking on public policy and religious liberty
- Developing proposals and strategy to protect and strengthen religious liberty as part of EPPC's HHS Accountability Project
- Directing think tank's *amicus* advocacy efforts

KNIFFIN LAW, PLLC, PRINCIPAL (2023 - present)

- National expert on helping religious organizations understand and maximize their religious liberty protections
- Representing clients in high-profile religious liberty cases

LEWIS ROCA, PARTNER (2014 - 2023)

- Represented clients in trial and appellate courts, including nationwide litigation challenging HHS contraception and transgender services mandates
- Advised religious organizations on strategies to deter and defend against lawsuits and enforcement actions

THE BECKET FUND FOR RELIGIOUS LIBERTY, LEGAL COUNSEL (2009 - 2014)

- Represented clients in high-profile religious liberty cases at trial, on appeal, and before the United States Supreme Court

UNITED STATES DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION (2005 - 2009)

- Conducted investigations and litigation to enforce the Fair Housing Act, RLUIPA, and CRIPA
- Successfully represented the United States in three appeals before the Ninth Circuit Court of Appeals

THE HON. THERESA L. SPRINGMANN, U.S. DIST. CT., N.D. INDIANA (2003 - 2005)

Judicial Clerk

EDUCATION**UNIVERSITY OF NOTRE DAME LAW SCHOOL, J.D., *cum laude*** (2003)

Dean's List; Dean's Award

Notre Dame Journal of Law, Ethics & Public Policy, Solicitation Editor**GORDON-CONWELL THEOLOGICAL SEMINARY, M.A., Theology, *cum laude*** (2000)

Teaching Assistant, Philosophy

Additional coursework at Harvard University

WHEATON COLLEGE (IL), B.A., Philosophy, *cum laude* (1998)

Dean's list; Varsity Baseball; Dorm President

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REPRESENTATIVE LITIGATION**SUPREME COURT**

Hosanna-Tabor v. E.E.O.C., 132 S. Ct. 694 (2012)

Helped draft merits brief in unanimous decision affirming First Amendment ministerial exception

Burwell v. Hobby Lobby Stores, Inc., 573 U.S. 682 (2014)

Helped draft merits brief in victory upholding rights of for-profit religious employers under Religious Freedom Restoration Act

COURTS OF APPEALS

Moss, Freedom From Religion Foundation v. Spartanburg Cty. Sch. Dist. No. 7, 683 F.3d 599 (4th Cir. 2012)

Directed discovery and helped draft merits brief in victory upholding district policy in Establishment Clause case of first impression

Singh v. Holder, 301 F. App'x 676 (9th Cir. 2008)

Successfully represented United States in case interpreting the Convention Against Torture

TRIAL COURTS

Nick Rolovich v. Washington State Univ. (E.D. Wash., No. 2:22-cv-319)

Representing former WSU head football coach who was terminated “for cause” after asserting religious objection to Governor’s vaccine mandate

Stormans Inc. v. Selecky, 844 F. Supp. 2d 1172 (W.D. Wash. 2012)

Served as co-counsel in two-week bench trial resulting in favorable free exercise ruling for religious pharmacy and pharmacists

Catholic Benefits Association v. Burwell, 24 F. Supp. 3d 1094 (W.D. Okla. 2014)

Secured permanent injunctive relief for hundreds of Catholic employers from HHS contraception mandate

United States v. Donald Sterling, et al., 2:06-cv-48805 (C.D. Cal.)

Directed electronic discovery, conducted investigations and depositions, co-authored briefing, culminating in section’s largest-ever settlement in a housing discrimination matter

AMICUS ADVOCACY

Brief for the Ethics and Public Policy Center as *Amici Curiae, Mahmoud v. McKnight* (No. 23-1890, Fourth Circuit Court of Appeals).

Brief for the United States Conference of Catholic Bishops *et al.* as *Amici Curiae, 303 Creative v. Elenis*, 243 S. Ct. 2298 (2023).

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Brief for the United States Conference of Catholic Bishops and Pennsylvania Catholic Conference as *Amici Curiae, Fulton v. City of Philadelphia*, 141 S. Ct. 1868 (2021).

Brief for the Knights of Columbus as *Amicus Curiae, Little Sisters of the Poor v. Pennsylvania*, 140 S. Ct. 2367 (2020).

PRE-LITIGATION CONSULTATIONS

MISSION AUDITS

Leading targeted and institution-wise projects to help religious institutions understand their legal exposure and improve their religious liberty defenses in the face of hostile legal and cultural developments

CLERGY COMMUNICATION PRIVILEGE LITIGATION

National expert on legality of state efforts to infringe on the longstanding clergy communications privilege;
Representing and advising bishops and Catholic conferences in efforts to defeat proposed legislation that would invade this privilege.

SEXUAL ABUSE INVESTIGATIONS

Developing constitutional and statutory defenses for Catholic dioceses anticipating and responding to grand jury and attorney general investigations.

REPRESENTATIVE PUBLICATIONS

- Eric Kniffin, *Attacks on the Seal of the Confessional*, First Things, March 30, 2023.
- Eric Kniffin, *Federal Departments Propose New Regulations for Contraceptive Services Mandate*, Federalist Society, March 29, 2023.
- Eric Kniffin, *Beyond the Headlines: What recent Supreme Court cases say about religious liberty's future*, Influence Magazine, Oct. 2020.
- Eric Kniffin, *The threadbare case against Little Sisters of the Poor: The administration's argument misrepresents Congress' intent*, Washington Times, May 10, 2016.
- Eric Kniffin, *Protecting Your Right to Serve: How Religious Ministries Can Meet New Challenges without Changing Their Witness*, The Heritage Foundation, Nov. 9, 2015.
- Eric Kniffin, *Are American Muslims Entitled to the Same Free Exercise Rights as Other Americans?*, The Huffington Post, May 26, 2011.

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REPRESENTATIVE PRESENTATIONS

- “Lissencephaly, Public Policy, and the Truth of the Human Person,” de Nicola Center for Ethics and Culture, Univ. of Notre Dame (Nov. 2023).
- “Racial Reconciliation, Mask Mandates, and Preferred Pronouns: The Use and Misuse of Religious Exemptions and the Future of Religious Liberty,” Converge, Global Christian School Leadership Summit (March 10, 2022).
- “Assaults Against the First Amendment and Free Exercise Clause and the Pursuit of Justice in the Church,” Canon Law Society of America, 83rd Annual Convention (Oct. 2021).
- “Recent Developments in Religious Liberty Litigation,” Catholic Bar Association, Annual Convention (Oct. 2019).
- “Strategies & Solutions Workshop: Addressing the Crisis in Middle America,” The Heritage Foundation (May 2017).
- “Protecting Public Protecting your right to serve: How religious ministries can meet new challenges without changing their witness,” Common Ground Christian Network (Oct. 2015).
- “Engaging Cultural Questions about Sexual Identity: Theological, Relational, and Practical Issues for Churches and Ministries,” Institute of Theology and Public Life, Reformed Theological Seminary (June 2015).

BAR ADMISSIONS

Colorado, District of Columbia, Illinois; United States Supreme Court; Various Federal Courts of Appeals and District Courts

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